



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-2829

PAT QUINN, GOVERNOR

JOHN J. KIM, INTERIM DIRECTOR

217/524-3300

December 6, 2011

Certified Mail

7009 2820 0001 7489 9240

FJV Development, LLC
Attn: Mr. Jerry Golf Jr.
3152 South California Avenue
Chicago, Illinois 60608

Re: 1978175017 -- Will County
FJV Development
Permit No. CCDD2008-006-DE/OP
Modification No. 1
Log No. CCDD2011-010
Expiration Date: June 1, 2018
CCDD File
Permit Approval

Dear Mr. Golf Jr.:

Permit is hereby granted to FJV Development, LLC as owner and operator, approving development of a new clean construction or demolition debris (hereinafter CCDD) fill operation all in accordance with the application and plans prepared by John Hock, P.E. of Civil & Environmental Consultants, Inc. Final plans, specifications, application, and supporting documents, as submitted and approved, constitute part of this permit and are identified in the records of the Illinois Environmental Protection Agency (Illinois EPA), Bureau of Land, Division of Land Pollution Control by the permit number and log number designated in the heading above.

Specifically, Permit No. CCDD2008-006-DE/OP issued June 19, 2008 approved:

A. The development and operation of this CCDD fill operation so as to comply with the applicable requirements of Title 35, Illinois Administrative Code (hereinafter 35 IAC), Subtitle J, Part 1100. This operation includes 24 acres with an "in-place" net fill capacity of approximately 750,000 cubic yards of net volume, excluding final cover, and protective soils/air space. The maximum final elevation must not be higher than the highest point of elevation existing prior to the filling immediately adjacent to the fill area (612 feet Above Mean Sea Level).

Permit Modification No. 1 is hereby granted to FJV Development, LLC as owner and operator, allowing modification of an existing CCDD fill operation all in accordance with the application and plans prepared and signed and sealed on September 6, 2011 by John Hock, P.E. of Civil & Environmental Consultants, Inc. and identified in the Illinois EPA records as Log No. CCDD2011-010.

The application approved by this permit consists of the following document:

<u>DOCUMENT</u>	<u>DATED</u>	<u>DATE RECEIVED</u>
Original Application Log No. CCDD2011-010	September 6, 2011	September 7, 2011

Specifically, this permit approves the proposed final grades.

Pursuant to Section 39(a) of Illinois Environmental Protection Act (Act) [415 ILCS 5/39(a)] and 35 IAC, 1100.404(b), this permit is issued subject to the development, operating and reporting requirements for CCDD fill operations in 35 IAC, Part 1100, the standard conditions attached hereto, and the following special conditions. In case of conflict between the permit application and these conditions (both standard and special), the conditions of this permit must govern.

I. OPERATING CONDITIONS

1. The operator must implement the load checking program proposed in the application for Permit No. CCDD2008-006-DE/OP (Log No. CCDD2008-006. If materials other than CCDD are discovered the load checker must prepare a report describing the results of each inspection. Documentation of the records for the facility must be kept for a minimum of three years at the facility or in some alternative location specified in the Illinois EPA permit. The documentation must be available for inspection and copying by the Illinois EPA upon request during normal business hours. Also, before the end of the operating day the operator must, by fax to 217-524-1991, or another method approved by the Agency, notify the Manager of the BOL Field Operations Section and provide the information described in condition I.2.c
2. Materials other than CCDD must be rejected from the fill facility and the driver of the rejected load must be given a written notice of the following:
 - a. That only CCDD is accepted for use as fill at the facility;
 - b. That the rejected load contains or is suspected to contain material other than CCDD, and that the material must not be taken to another CCDD fill

operation and must be properly recycled or disposed of at a permitted landfill;

- c. That for all inspected loads the owner or operator is required to record, at minimum, the date and time of the inspection, the name of the hauling firm, the name of the driver, the vehicle identification number or license plate number, and the source of the fill and is required to make this information available to the Illinois EPA for inspection; and
 - d. That the Illinois EPA will be informed that this load has been rejected.
3. Operating hours are those hours during which the CCDD may be accepted. For this facility, the operating hours must be limited to 6:00 am to 6:00 am, Monday through Saturday. If it is required for the facility to be open beyond normal operating hours, a written record of the date(s), times and reason the facility was open must be made part of the operating record for the facility. Adequate lighting must be provided for outdoor activities at the fill operation occurring before sunrise or after sunset.

II. GENERAL CONDITIONS

- 1. If changes occur which modify any of the information the permittee has used in obtaining a permit for this facility, the permittee must inform the Illinois EPA's Bureau of Land/Permit Section of the changes. Except for name or addresses changes for individuals or legal entities with ownership or operating interests in this facility, for which notification procedures are described below, any modifications to this permit must be proposed in the form of a permit application, and submitted to the Illinois EPA, pursuant to 35 IAC, Section 1100.410(a). The General Application for CCDD Fill Operation Permit form must be used to propose such changes.
- 2. The Illinois EPA must be notified of any changes in the names or addresses of either beneficial or legal titleholders to this facility. The notification must be submitted within fifteen days of the change and must include the name or names of any parties in interest and the address of their place of abode; or, if a corporation, the name and address of its registered agent.
- 3. Pursuant to 35 IAC, Section 1100.411, an application for permit renewal must be filed with the Illinois EPA at least ninety days prior to the expiration date of this permit.
- 4. The permittee(s) shall submit a 39(i) certification and supporting documentation within 30 days of any of the following events:

- a. The owner or officer of the owner, or operator, or any employee who has control over operating decisions regarding the facility has violated federal, State, or local laws, regulations, standards, or ordinances in the operation of waste management facilities or sites; or
- b. The owner or operator or officer of the owner, or operator, or any employee who has control over operating decisions regarding the facility has been convicted in this or another State of any crime which is a felony under the laws of this State, or conviction of a felony in a federal court; or
- c. The owner or operator or officer of the owner, or operator, or any employee who has control over operating decisions regarding this facility has committed an act of gross carelessness or incompetence in handling, storing, processing, transporting, or disposing of waste.
- d. A new person is associated with the owner or operator who can sign the application form(s) or who has control over operating decisions regarding the facility, such as corporate officer or a delegated employee.

III. CLOSURE/POST CLOSURE CARE

1. The facility must be closed in accordance with the closure plan in Application Log No. CCDD2008-006. Final grades were revised in Application Log No. CCDD2011-010. To obtain the certificate of closure specified in 35 IAC 1100.412(b)(2)(A), the operator must submit an Affidavit for Certification of Closure of a CCDD Fill Operation form accompanied by a General Application for CCDD Fill Operation Permit form to the Illinois EPA.
2. Inspections of the closed CCDD site must be conducted in accordance with the approved post-closure care plan in Application Log No. CCDD2008-006. Records of field investigations, inspections, sampling and corrective action taken are to be maintained at the site and made available to Illinois EPA personnel. During the post-closure care period, these records are to be maintained at the office of the site operator.
3. The minimum post-closure care period for this clean construction and demolition debris fill operation is one year. Upon completing post-closure care period, to obtain written notification that the permit for this CCDD fill operation is terminated, as specified in 35 IAC 1100.412(c)(2), the operator must submit an Affidavit for Certification of Completion of Post-Closure Care of a CCDD Fill Operation form accompanied by a General Application for CCDD Fill Operation Permit form to the Illinois EPA. The Agency may specify a shorter period of time

for post-closure maintenance after issuance of a certificate of closure based on specific development plans.

IV. REPORTING REQUIREMENTS

1. By April 1 of each year, the annual report for the previous calendar year must be submitted to the Illinois EPA pursuant to 35 IAC 1100.211 and 1100.203. The annual report must include, at a minimum, the following information:
 - a. A summary of the number of loads accepted and the number of loads rejected during the calendar year
 - b. Proposed activities, including the amount of CCDD expected in the next year;
 - c. Any modification or significant modification affecting operation of the facility; and
 - d. The signature of the operator or duly authorized agent as specified in 35 IAC 1100.303.
 - e. An annual facility map that must have a scale no smaller than one inch equals 200 feet, show the horizontal extent of filled areas as of the date of the map, and show the same information as required for facility plan maps under 35IAC Section 1100.305(a)-(d).
2. All certifications, logs, reports, plan sheets and monitoring data, required to be submitted to the Illinois EPA by the permittee must be mailed to the following address:

Illinois Environmental Protection Agency
Permit Section
Bureau of Land -- #33
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

The operator must provide the Illinois EPA with the original and two (2) copies of all certifications, logs, reports and plan sheets required by this permit.

This letter constitutes a permit granted with conditions in accordance with 35 IAC 1100.404(b). Therefore, pursuant to 35 IAC 1100.406, within 35 days after receipt of this letter, the applicant may petition for a hearing before the Illinois Pollution Control Board to contest the permit

conditions imposed by the Illinois EPA. Please be aware the 35-day period for petitioning for a hearing may be extended for a period of time not to exceed ninety days by written notice provided to the Board from the applicant and the Illinois EPA within the 35-day initial appeal period.

Work required by this permit, your application or the regulations may also be subject to other laws governing professional services, such as the Illinois Professional Land Surveyor Act of 1989, the Professional Engineering Practice Act of 1989, the Professional Geologist Licensing Act, and the Structural Engineering Licensing Act of 1989. This permit does not relieve anyone from compliance with these laws and the regulations adopted pursuant to these laws. All work that falls within the scope and definitions of these laws must be performed in compliance with them. The Illinois EPA may refer any discovered violation of these laws to the appropriate regulating authority.

Sincerely,



Stephen F. Nightingale, P.E.
Manager, Permit Section
Bureau of Land

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SFN:GEM:\1978175017-CCDD-2011010-SM1-Final.doc
CSL

Attachment: Standard Conditions

STANDARD CONDITIONS FOR CLEAN CONSTRUCTION OR DEMOLITION DEBRIS
PERMITS
ISSUED BY THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
BUREAU OF LAND

The Illinois Environmental Protection Act (415 ILCS 5/1 et seq.) grants the Illinois Environmental Protection Agency authority to impose conditions on permits which it issues.

These standard conditions shall apply to all permits which the Agency issues for Clean Construction or Demolition Debris fill operations which require permits under the Bureau of Land. Special conditions may also be imposed in addition to these standard conditions.

1. Unless this permit has been extended or it has been voided by a newly issued permit, the permit for this Clean Construction or Demolition Debris fill operation will expire ten years after date of issuance.
2. The Clean Construction or Demolition Debris fill operation covered by this permit must comply with applicable provisions of Federal laws and regulations, the Illinois Environmental Protection Act, and Rules and Regulations adopted by the Illinois Pollution Control Board.
3. There shall be no deviations from the approved plans and specifications unless a written request for modification of the project, along with plans and specifications as required, shall have been submitted to the Agency and a supplemental written permit issued.
4. The permittee shall allow any agent duly authorized by the Agency upon the presentation of credentials:
 - a. to enter at reasonable times the permittee's premises where actual or potential effluent, emissions or noise sources are located or where any activity is to be conducted pursuant to this permit.
 - b. to have access to and copy at reasonable times any records required to be kept under the terms and conditions of this permit.
 - c. to inspect at reasonable times, including during any hours of operation of equipment constructed or operated under this permit, such equipment or monitoring methodology or equipment required to be kept, used, operated, calibrated and maintained under this permit.
 - d. to obtain and remove at reasonable times samples from the site.

- e. to enter at reasonable times and utilize any photographic, recording, testing, monitoring or other equipment for the purpose of preserving, testing, monitoring, or recording any activity or occurrence at this site
5. The issuance of this permit:
- a. shall not be considered as in any manner affecting the title of the premises upon which the permitted facilities are to be located;
 - b. does not release the permittee from any liability for damage to person or property caused by or resulting from the construction, maintenance, or operation of the proposed facilities;
 - c. does not release the permittee from compliance with other applicable statutes and regulations of the United States, of the State of Illinois, or with applicable local laws, ordinances and regulations;
 - d. does not take into consideration or attest to the structural stability of any units or parts of the project;
 - e. in no manner implies or suggests that the Agency (or its officers, agents or employees) assumes any liability, directly or indirectly, for any loss due to damage, installation, maintenance, or operation of the proposed equipment or facility.
6. These standard conditions shall prevail unless modified by special conditions.
7. The Agency may file a complaint with the Board for modification, suspension or revocation of a permit:
- a. upon discovery that the permit application contained misrepresentations, misinformation or false statements or that all relevant facts were not disclosed; or
 - b. upon finding that any standard or special conditions have been violated; or
 - c. upon any violation of the Environmental Protection Act or any Rule or Regulation effective thereunder as a result of the construction or development authorized by this permit.

SFN\CCDD-STANDARD CONDITIONS